

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**DOCKET NO. 1:08CR128**

|                                 |          |                            |
|---------------------------------|----------|----------------------------|
| <b>UNITED STATES OF AMERICA</b> | <b>)</b> |                            |
|                                 | <b>)</b> |                            |
|                                 | <b>)</b> |                            |
| <b>v.</b>                       | <b>)</b> | <b>FINAL</b>               |
|                                 | <b>)</b> | <b>ORDER OF FORFEITURE</b> |
| <b>(5) BRIAN EDDIE CASH</b>     | <b>)</b> |                            |
|                                 | <b>)</b> |                            |
|                                 | <b>)</b> |                            |
|                                 | <b>)</b> |                            |

**THIS MATTER** is before the Court on the Government's motion for a final order of forfeiture, filed August 3, 2009.

On February 23, 2009, this Court entered a Preliminary Order of Forfeiture pursuant to 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(b), based upon Defendant's guilty plea to Count One of the Bill of Indictment. In Count One, the Defendant is charged with knowingly and intentionally combining, conspiring, confederating and agreeing with others to possess with intent to distribute a quantity of cocaine base, commonly known as crack cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846 and 841(a)(1).

On April 15, 2009, through May 14, 2009, the United States posted on an official Government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)), for at least 30 consecutive days, notice of this forfeiture and of the intent of the United States to dispose of the forfeited property in accordance with law, and further notifying all third parties of their right to petition the Court within 30 days for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such claims have been filed.

**IT IS, THEREFORE, ORDERED** that the Government's motion for a final order of forfeiture is **ALLOWED**.

**IT IS FURTHER ORDERED** that, in accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in **the following properties**, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

**One Taurus handgun, .45 caliber, s/n NTE12678;**  
**One Winchester rifle, .22 caliber, s/n B1807423;**  
**One Talon handgun, 9mm caliber, s/n 06154;**  
**One Smith & Wesson handgun, 9mm caliber, s/n TDF4299;**  
**One Phoenix Raven handgun, .25 caliber, s/n 3015702;**  
**One Highpoint handgun, .40 caliber, s/n X714752;**  
**One Remington 870 pump shotgun, 12 gauge, s/n S349807V;**  
**One SS Kcrease Co. shotgun, 12 gauge, s/n 589399;**  
**One Lorcin handgun, .380 caliber, s/n 532208;**  
**Two Jennings handguns (matching set), .22 caliber, s/ns 321853 and 363115;**  
**One Yugo rifle, 7.62x39 rifle, s/n F173927;**  
**One unknown make revolver, .22 caliber, s/n TX76045.**

Signed: August 17, 2009



Lacy H. Thornburg  
United States District Judge

